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## CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

Date of Mailing: November 12, 2004

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November 12, 2004

ATTY DOCKET NO.:  
NPUS-1509 (1578.702)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In re: U.S. Application Serial No. 10/789,435  
Inventor: Adrian Buckley, et.al.  
Title: **Method and System for Wireless Channel Selection by a Mobile Device**

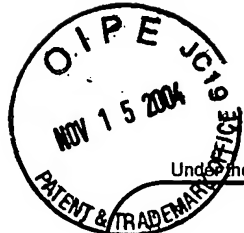
Enclosed please find:

- ☒ Supplemental Information Disclosure Statement;
- ☒ Forms PTO/SB/08A;
- ☒ Two (2) cited references;
- ☒ Return post card

Respectfully submitted,

By:

Robert H. Kelly, Reg. No. 33,922  
Attorney for Applicant



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## CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450.

Application Number	10/789,435
Filing Date	February 21, 2004
First Named Inventor	Adrian Buckley, et.al.
Art Unit	2663
Examiner Name	Not yet assigned
Attorney Docket Number	PUS1509 (1578.702)

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I am the:

- ☐ Applicant/Inventor
- ☐ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ Attorney or Agent of record. Registration Number 33,922
- ☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed  
Name

Robert H. Kelly

Signature

*Robert H. Kelly*

Date

*12 Nov 04*

Telephone

214-706-4200

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:



Practitioners associated with the Customer Number:

44208

OR



Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

M-Stack Limited  
Chancery House  
8 Edward Street  
Birmingham  
B1 2RX  
U.K.

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

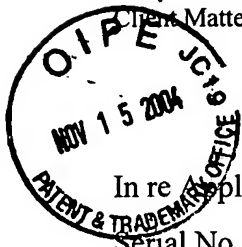
**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	James L. Balsillie		
Signature		Date	Oct. 14/04
Title	President	Telephone	519-888-7465

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ADRIAN BUCKLEY, ET.AL

Serial No.

10/ 789,435

Filing Date:

February 21, 2004

Group Art Unit:

2663

Examiner:

Unknown

Title:

METHOD AND SYSTEM FOR WIRELESS CHANNEL  
SELECTION BY A MOBILE DEVICE**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

Date of Mailing: November 12, 2004

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Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450, on the above date.

Lilis Pramasurja

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INFORMATION DISCLOSURE STATEMENT**

Pursuant to the duty of disclosure under 37 C.F.R. §1.56, Applicant submits this statement. This submittal is made in accordance with 37 C.F.R. §1.97 and §1.98 and § 609 of the Manual of Patent Examining Procedure. The patent information herein is listed below and on the attached Forms PTO/SB/08A.

PATENT DOCUMENTS:

US Patents:

<u>Patent No.</u>	<u>Inventor:</u>	<u>Date</u>
2002/105926 A1	Famolari, et.al.	August 8, 2002
2004/0028009 A1	Dorenbosch, et.al.	February 12, 2004

Foreign Patents:

<u>Patent No.</u>	<u>Country</u>	<u>Date</u>
GB 2 288 301 A	Great Britain	May 4, 1994
EP 1 347 614 A2	European	September 24, 2003

Applicant hereby expressly reserves the right to swear behind the effective date of the references and to question the relevance and materiality of the references cited, in whole, in part, or in combination, subsequent to filing this Information Disclosure Statement.

Respectfully submitted,

12 Nov 04  
Date

By Robert H. Kelly  
Robert H. Kelly  
Registration No. 33,922

5956 Sherry Lane, Suite 1400  
Dallas, Texas 75225  
Tel.: (214) 706-4200  
Fax: (214) 706-4242  
[robert.kelly@scheefandstone.com](mailto:robert.kelly@scheefandstone.com)

PTO/SB/08A (04-03)  
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